IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: BRIMONIDINE PATENT LITIGATION	C.A. 07-md-01866 GMS

NOTICE OF DEPOSITION OF DEFENDANT APOTEX INC. AND APOTEX CORP. PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 30(b)(6)

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Allergan Inc. ("Plaintiff") by its counsel, will take the deposition of Defendants Apotex Inc. and Apotex Corp. (collectively, "Apotex" or "Defendants") at Toronto Court Reporters, 65 Queen Street West, Suite #1410, Toronto, ON M5H 2M5, commencing at 9:00 a.m. on August 15, 2008, or at such other place and time as may be agreed upon by counsel. The deposition will continue from day to day until completed. Some or all of the deposition testimony may be recorded by stenographic, audio, audiovisual, video, and/or real-time computer means.

The subject matters of the deposition are enclosed herein. Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendant is obligated to designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf concerning the matters set forth in the attached Appendix. Plaintiff requests that Defendant provide, on or before August 8, 2008, a written designation of the names and positions of the officers, directors, or other persons who are most competent to testify concerning the topics set forth below, and for each person designated, the matters on which he or she will testify.

DEFINITIONS

The definitions set forth in Plaintiff's First Set of Interrogatories shall apply as if fully set forth herein.

RULE 30(b)(6) TOPICS FOR DEPOSITION

1. The formulation of Defendants' proposed brimonidine products.

2. The development of Defendants' proposed brimonidine products.

3. The intended use of Defendants' proposed brimonidine products.

4. All testing of Defendants' proposed brimonidine products, or any formulations considered, tested, or employed in the development of Defendants' proposed brimonidine products, or any components of Defendants' proposed brimonidine products.

5. The selection of the components of Defendants' proposed brimonidine products, including the reason(s) for the selection.

6. The selection of the pH of Defendants' proposed brimonidine products.

7. Each component in Defendants' proposed brimonidine products, including its concentration, its function(s) in the formulation, and its source(s).

8. Defendants' interactions with the FDA regarding Defendants' proposed brimonidine products, ANDA No. 78-479, ANDA No. 78-480, and/or Allergan's ALPHAGAN® P 0.15% and 0.1% products, including all communications with the FDA regarding ANDA Nos. 78-479, ANDA No. 78-480, and/or Allergan's ALPHAGAN® P 0.15% and 0.1% products.

9. Any clinical trials or protocols for clinical trials conducted or prepared for ANDA No. 78-479, ANDA No. 78-480, or in connection with the development of Defendants' proposed brimonidine products.

10. Any bioequivalence and/or bioavailability studies or testing conducted or prepared for ANDA No. 78-479, or ANDA No. 78-480, or in connection with the development of Defendants' proposed brimonidine products.

11. Any irritancy or animal studies or testing conducted or prepared for ANDA No. 78-479, or ANDA No. 78-480, or in connection with the development of Defendants' proposed brimonidine products.

12. The alleged therapeutic equivalence of Defendants' proposed brimonidine products to Allergan's ALPHAGAN® P 0.15% and 0.1% products.

13. All testing of Allergan's ALPHAGAN® P 0.15% and 0.1% products.

14. The differences between Defendants' proposed brimonidine products and Allergan's ALPHAGAN® P 0.15% and 0.1% products.

15. When Defendants became aware of the patents-in-suit.

16. Defendants' knowledge of the patents-in-suit.

17. Defendants' business reasons for developing the proposed brimonidine products and filing ANDA Nos. 78-479 and 78-480.

18. Defendants' interactions with doctors and/or healthcare professionals with regard to the proposed brimonidine product or potential brimonidine based ophthalmic products.

19. The search for and collection of documents requested by Plaintiff in this litigation.

20. The search for and collection of documents produced by Defendants in this litigation.

Dated: August 1, 2008

FISH & RICHARDSON P.C.

By: _____

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ATTORNEYS FOR PLAINTIFF ALLERGAN, INC.

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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2008, I electronically filed with the Clerk of Court the NOTICE OF DEPOSITION OF DEFENDANT APOTEX, INC. AND APOTEX CORP. PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 30(b)(6) using CM/ECF which will send electronic notification of such filing(s) to the following counsel.

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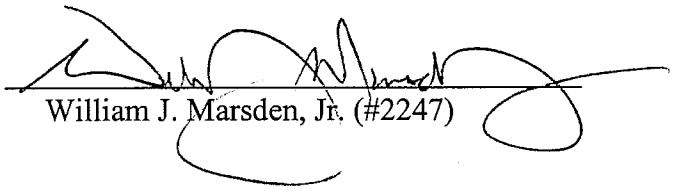

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